

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Atty Dkt. 2551-69

MAERTENS, et al.

C# M#

Serial No. 09/995,860

/A.U. 1648

Filed: November 29, 2001

Examiner: LI, BAO Q

Date: July 14, 2004

Title: PURIFIED HEPATITIS C VIRUS ENVELOPE PROTEINS FOR DIAGNOSTIC AND THERAPEUTIC USE



Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT**

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

☐ **Correspondence Address Indication Form Attached.****Fees are attached as calculated below:**

Total effective claims after amendment 0 minus highest number  
previously paid for 20 (at least 20) = 0 x \$ 18.00 \$ 0.00

Independent claims after amendment 0 minus highest number  
previously paid for 3 (at least 3) = 0 x \$ 86.00 \$ 0.00

If proper multiple dependent claims now added for first time, add \$290.00 (ignore improper) \$ 0.00

Petition is hereby made to extend the current due date so as to cover the filing date of this  
paper and attachment(s) (\$110.00/1 month; \$420.00/2 months; \$950.00/3 months) \$ 0.00

Terminal disclaimer enclosed, add \$ 110.00 \$ 0.00

☐ First/second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$770.00) \$ 0.00

☐ Please enter the previously unentered, filed

☐ Submission attached

**Subtotal \$ 0.00**

If "small entity," then enter half (1/2) of subtotal and subtract -\$ 0.00

☐ Applicant claims "small entity" status. ☐ Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee (\$180.00) \$ 180.00

Assignment Recording Fee (\$40.00) \$ 0.00

Attached: 14 references and PTO 1449 Form listing references - Amendment and Petition separately filed  
herewith 0.00

**TOTAL FEE ENCLOSED \$ 180.00**

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

1100 North Glebe Road, 8<sup>th</sup> Floor  
Arlington, Virginia 22201-4714  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100  
BJS:

NIXON & VANDERHYTE P.C.  
By Atty: B. J. Sadoff, Reg. No. 36,663

Signature: 



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Patent Application of

MAERTENS, et al.

Atty. Ref.: 2551-69

Serial No. 09/995,860

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For: PURIFIED HEPATITIS C VIRUS ENVELOPE PROTEINS  
FOR DIAGNOSTIC AND THERAPEUTIC USE

\* \* \* \* \*

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

July 14, 2004

Sir:

**INFORMATION DISCLOSURE STATEMENT**

- ☐ 1. **PTO-1449 Pursuant to 37 CFR 1.97(b)**  
[within 3 months of filing or prior to 1st Office Action on the merits]  
N/C
- ☐ 2.(a) **Statement Pursuant to 37 CFR 1.97(c)**  
[before Final Office Action or Allowance (requires Rule 97(e)  
Statement or Rule 17(p) fee)]  
N/C
- ☒ 2.(b) **Fee Payment Pursuant to 37 CFR 1.97(c)**  
[before Final Office Action or Allowance (requires Rule 97(e)  
Statement or Rule 17(p) fee)]  
\$180.00
- ☐ 3. **Pursuant to 37 CFR 1.97(d)**  
[after Final Office Action or Allowance (requires Rule 97(e)  
Statement and Rule 17(p) fee), but before final fee payment]  
\$180.00

The following are submitted in the above-identified application in compliance with  
37 C.F.R. §§ 1.97 and 1.98:

- ☒ 4. A list of documents on Form PTO-1449 together with copies of each  
identified document and a translation or a concise explanation of

each non-English language document (such as a Search Report) is enclosed herewith.

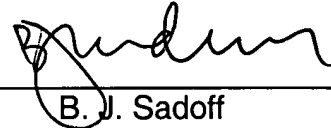
This paper is submitted in accordance with:

- ☐ 5. 37 CFR 1.97(b): [within 3 months of filing or prior to 1st Office Action]
- ☒ 6. 37 CFR 1.97(c): [before Final Office Action or Allowance, whichever is earlier]; and
  - ☐ a) The required Statement made in item 8 below; **or**
  - ☒ b) The \$180.00 fee specified in 37 CFR §1.17(p) for submission of this Information Disclosure Statement is authorized in item 9 below.
- ☐ 7. 37 CFR §1.97(d): [after Final Office Action or Allowance (requires Rule 97(e) Statement and Rule 17(p) fee), but before final fee payment]; and
  - ☐ a) The fee (\$180.00) required by 37 CFR §1.17(p) is submitted herewith; and
  - ☐ b) The required Statement is stated in item 8 below.
- ☐ 8. Statement under 37 CFR 1.97(e)
  - ☐ a) The undersigned attorney of record hereby certifies under 37 C.F.R. §1.97(e) that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement (each item contained in this IDS was the first citation of that item by a foreign patent office in a counterpart foreign application which occurred no more than three months prior to the filing of this IDS); or
  - ☐ b) No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement, after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
- ☒ 9. Please charge all deficiency fees associated with the submission of this Information Disclosure Statement and any other fees applicable to this application to Deposit Account No. 14-1140. An original and one (1) copy of this document are enclosed.

MAERTENS, et al.  
Serial No. 09/995,860  
July 14, 2004

Respectfully submitted,  
NIXON & VANDERHYE P.C.

By: \_\_\_\_\_



B. J. Sadoff  
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~~SERIAL NO.~~

09/995,860

**APPLICANT**

LAERTENS, et al.

(Use several sheets if necessary)

~~ISSUING DATE~~

November 29, 2001

**GROUP**

1648

## U.S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

[illegible]

**OTHER DOCUMENTS (including Author, Title, Date, Pertinent pages, etc.)**

156	Leroux-Roels et al. 2001 (Hepatology 34, 449A)
157	Nevens et al. 2003 (Hepatology 38, 1289-1296)
158	Pawlotsky and McHutchison 2003 (Hepatology 39, 554-567)
106	Botarelli et al. 1993 (Gastroenterology 104, 580-587)
160	Major et al. 2002 ( J Virol 76, 6586-6595)
161	Bassett et al. 2001 (Hepatology 33, 1479-1487)
162	Weiner et al. 2001 (J Virol 75, 7142-7148)
163	Mehta et al. 2002 (Lancet 359, 1478-1483)

\*Examiner

Date Considered

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application.

Form PTO-FB-A820 (Also PTO-1449)